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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,774	01/26/2004	Clemens Johannes De Vroome	600.1260	9755

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EXAMINER

EDWARDS, LAURA ESTELLE

ART UNIT PAPER NUMBER

1734

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/764,774

Applicant(s)

DE VROOME, CLEMENS
JOHANNES

Examiner

Laura Edwards

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7 and 8 is/are rejected.
- 7) ☒ Claim(s) 4-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Prosecution Reopened

The finality of the previous office has been withdrawn. While the amendment after final filed as of 10/27/05 has been entered, claims 1-3, 7, and 8 have been withdrawn from being allowable in light of the newly discovered reference(s) to Menet et al (USPAP 2002/0106444). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-3, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menet et al (USPAP 2002/0106444) in view of Werner et al (DE19650125).

Menet et al teach a coating application system comprising a device for applying a liquid mixture of a silicone based material and at least water to a web or sheet material, the device having including a reservoir for the silicone based material (41; pg. 2, [0035]), a supply source for carrier fluid or water (30), at least one mixing tank (40) for the silicone oil concentrate and the water, an applicator (5) for transferring the liquid mixture onto a cooled roll for transfer to the web or sheet printing material, the applicator being a sprayer head enclosing and thereby containing the liquid mixture, and a cooling roll (1A, 1B) in communication with the web or sheet material (See Fig. 3). While Menet et al recognize a coating supply arrangement wherein a buffer tank or even a crucible could be used in the system (pg.3, [0045]), Menet et al are silent concerning the supply arrangement including a buffer tank in combination with the mixer

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wherein liquid coating material liquid from a supply reservoir is received in the buffer tank prior to introduction to the mixer. However, it was known in the coating art, at the time the invention was made, to provide in a coating supply arrangement, an intermediate or buffer tank in combination with a mixer whereby liquid coating material from a supply reservoir was supplied to the buffer tank prior to introduction to the mixer as evidenced by Werner et al (see translation, pg 2, 8th paragraph). In the citation, Werner et al recognize the benefit of an intermediate or buffer tank to store a smaller content of the liquid coating material in case of a process change. It would have been obvious to one of ordinary skill in the art to provide an intermediate or buffer tank as taught by Werner et al in communication with the silicone based reservoir prior to the mixer in the system of Menet et al in order to temporarily store a smaller amount of liquid coating material in case of a process change. Additionally, Menet et al explicitly recognize the supply arrangement to be used for adjusting the coating composition (pg. 3, [0049]) such that one of ordinary skill in the art would expect to provide an intermediate or buffer tank of smaller volume capacity in order to enable a small amount of the silicone material to be adjusted physically (i.e., heated via crucible) and/or chemically (i.e., such as pH adjustment).

With respect to the use of fluid regulating means including valving, Menet et al provide for controlled fluid regulating means as evidenced by pg. 3, [0044]. Moreover, Werner et al recognize controlled fluid regulating means or valving on pg. 2, paragraph 7.

With respect to the use of a small capacity (i.e., 1 liter) mixer, see Menet et al pg. 3, [0047]. Alternatively, Werner et al recognize the buffer or intermediate tank to have a capacity less than 200 liters (pg. 2, paragraph 10).

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Allowable Subject Matter


Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura Edwards whose telephone number is (571) 272-1227. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Laura Edwards
Primary Examiner
Art Unit 1734

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November 10, 2005